



DAVIS & GILBERT LLP
ATTORNEYS AT LAW

1740 Broadway
New York, NY 10019

T: 212.468.4800
F: 212.468.4888

www.dglaw.com

Direct Dial: 212.468.4950
Personal Fax: 212.974.6946
Email: gbrochin@dglaw.com

July 14, 2014

BY ECF

Hon. Ronnie Abrams
United States District Court
Southern District of New York
40 Foley Square, Room 2203
New York, NY 10007

Re: Ludizaca v. GFB Restaurant Corp., et al., No. 13 Civ. 9180 (RA)

Dear Judge Abrams:

We represent the defendants in the above-referenced action. We write in accordance with the case management plan in the above-referenced action and Your Honor's order, dated May 15, 2014, directing the filing of a joint status letter. As of the date of this letter, the parties have completed initial disclosures. In addition, the Defendants have informally provided payroll records for all potential class members and have begun settlement negotiations based on such records.

Defendants have voluntarily consented, and hereby stipulate, to conditional certification of an FLSA collective action and have agreed to send FLSA collective action opt-in notices to all non-exempt back-of-the-house employees who were employed at Il Mulino on West 3rd prior to January 1, 2012 and within the applicable FLSA statute of limitations. The parties intend to jointly draft such notices and send them out, in English and Spanish, in the near future.

At this time, the parties do not believe that it would be beneficial to refer this case to mediation or a magistrate judge. We may need to wait until we have the pool of those who have opted in to be able to settle the case. However, should we reach an impasse and determine that mediation would be beneficial, the parties will inform the court immediately.

This letter has been reviewed by Plaintiffs' counsel and is submitted jointly by both parties.

Respectfully submitted,

Gregg Brochin

cc: Molly Smithsimon, molly@conoverlaw.com